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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Covacci et al.

Serial No.: 09/360,934

Group Art Unit: 1638

Filing Date: July 26, 1999

Examiner: Bui, P.

For: **HELICOBACTER PYLORI CYTOTOXIN PROTEINS USEFUL FOR  
VACCINES AND DIAGNOSTICS**

DATE OF DEPOSIT: May 7, 2001

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
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Robin S. Quartin  
REGISTRATION NO.: 45,028

Box ☐ NON-FEE  
☒ AF

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

**AMENDMENT TRANSMITTAL LETTER**

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Final Rejection Office Action Dated November 7, 2000.
- ☐ An Amendment Supplemental to the Paper filed \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 was established in a previous submission.
- ☐ A Statement Claiming Small Entity Status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- ☐ Substitute Pages \_\_\_\_\_ of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ \_\_\_\_\_ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: \_\_\_\_\_ is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
  - ☐ Attached Form 1449.
  - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: \_\_\_\_\_.
- ☒ Other Material as follows: \_\_\_\_\_.

## FEE CALCULATION

☐ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	13	20 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$ 0
INDEP. CLAIMS	6	6 (3 MINIMUM)	0	\$39 EACH	\$	\$78 EACH	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$130	\$	\$260	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$190	\$	\$380	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$435	\$	\$870	\$870.00
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$680	\$	\$1360	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$925	\$	\$1850	\$
<input checked="" type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$110.00)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input checked="" type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:  Notice of Appeal							\$310.00
TOTAL FEE DUE							\$1,070.00


- ☒ A Check is Enclosed in the Foregoing Amount Due.
- ☒ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of **November 7, 2000** to and through **May 7, 2001** comprising an extension of the shortened statutory period of **three (3) month(s)**.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future

application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The Foregoing Amount Due for Filing this Paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: *May 7, 2001*

  
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